

FISCAL MEMORANDUM

SB 2399 – HB 2808

March 14, 2008

SUMMARY OF AMENDMENT (014819, 015267):

Amendment 014819 deletes the language of the original bill and creates the Haley Ham Law which requires any and all antifreeze or engine coolant containing at least ten percent ethylene glycol and manufactured on or after January 1, 2010 to contain a bittering agent. Creates a Class C misdemeanor punishable by fine of \$50 per violation. Authorizes the Department of Agriculture to promulgate rules and regulations. Amendment 015267 removes the provision in amendment 014819 that exempts wholesale containers of engine coolant or antifreeze containing 55 gallons or more from the bittering agent requirement.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures - \$4,500

Increase Local Revenue – Not Significant

Increase Local Expenditures – Not Significant

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase State Expenditures - \$4,500/FY09-10 and Succeeding Years

Increase Local Revenue – Not Significant

Increase Local Expenditures – Not Significant

Assumptions applied to amendment:

- According to the Department of Agriculture, anti-freeze inspections could be done in the course of regular inspections currently conducted by the department.
- Periodic testing and laboratory analysis would be required to ensure compliance.
- Sample analysis is estimated to cost \$50 per sample.
- The number of sample tests is estimated to be 50 per year.
- The cost for sample analysis is estimated to be \$2,500 per year (50 sample tests x \$50 cost per sample = \$2,500).

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- Laboratory analysis would also require the purchase of the product and additional laboratory supplies estimated to be \$2,000 per year.
- The total increase of state expenditures is estimated to be \$4,500 per year (\$2,500 for sample analysis + \$2,000 for product and laboratory supplies = \$4,500).
- There will not be a sufficient number of prosecutions for local governments to experience any significant increase in revenues or expenditures.
- Given this law only applies to engine coolant or antifreeze manufactured on or after January 1, 2010, the first year the estimated impact will result is FY09-10.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" written in a larger, more prominent script than the last name "White".

James W. White, Executive Director

/rnc